

AMENDMENTS TO LB 776

Introduced by Natural Resources Committee:

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 13-2039, Revised Statutes Cumulative
4 Supplement, 2004, is amended to read:

5 13-2039 ~~(1)~~ Land disposal of yard waste is prohibited
6 from April 1 through November 30 of each year, except that yard
7 waste which has been separated at its source from other solid waste
8 may be accepted by a landfill for the purpose of soil conditioning
9 or composting. (1)(a) A landfill may accept yard waste without
10 condition from December 1 through March 31 of each year.

11 (b) A landfill may accept yard waste year-round if such
12 yard waste:

13 (i) Will be used for the production and recovery of
14 methane gas for use as fuel (A) with the approval of the department
15 and (B) at a landfill operating as a solid waste management
16 facility with a permit issued pursuant to the department's rules
17 and regulations; or

18 (ii) Has been separated at its source from other solid
19 waste and will be used for the purpose of soil conditioning or
20 composting.

21 (c) State and local governmental entities responsible for
22 the maintenance of public lands shall give preference to the use
23 of composted materials in all land maintenance activities. This

1 section does not prohibit the use of yard waste as land cover or as
2 soil-conditioning material.

3 (2) Land disposal of lead-acid batteries and waste oil is
4 prohibited.

5 (3)(a) Land disposal of waste tires in any form is
6 prohibited except tires that are nonrecyclable. For purposes of
7 this subsection, nonrecyclable tire means a press-on solid tire, a
8 solid pneumatic shaped tire, or a foam pneumatic tire.

9 (b) On and after September 1, 2003, placing or causing
10 the placement or disposal of scrap tires in any form into the
11 waters of the state is prohibited except as provided in section
12 13-2033.

13 (c) Tires are not considered disposed if they are
14 (i) processed into crumb rubber form and reused or recycled
15 in manufactured products such as, but not limited to, products
16 used for schools, playgrounds, and residential, lawn, and garden
17 applications, (ii) used as tire-derived fuel, (iii) retreaded, (iv)
18 processed into chip or shred form and used as drainage media in
19 landfill construction or septic drain fields, (v) used as a raw
20 material in steelmaking, or (vi) processed into shred form and
21 used as an alternative daily cover in a landfill or for a civil
22 engineering project if such project is designed and constructed
23 in compliance with the Engineers and Architects Regulation Act and
24 prior approval for such project is obtained from the department
25 by the tire shredder and the end user, except that departmental
26 approval is not necessary for a tire project involving three
27 thousand five hundred or fewer passenger tire equivalents of waste

1 tires if the department receives notification of the project not
2 later than thirty days prior to any construction on such project.
3 The notification shall contain the name and address of the tire
4 shredder and end user, the location of the project, a description
5 of the type of project, the number of passenger tire equivalents
6 of waste tires to be used, and any additional information the
7 council determines is necessary to accomplish the purposes of the
8 Integrated Solid Waste Management Act.

9 (4) Land disposal of discarded household appliances is
10 prohibited.

11 (5) Land disposal of unregulated hazardous wastes, except
12 household hazardous wastes, which are exempt from the regulations
13 under the Environmental Protection Act is prohibited unless such
14 disposal occurs at a licensed hazardous waste disposal facility.

15 (6) For purposes of this section, land disposal shall
16 include, but not be limited to, incineration at a landfill.

17 Sec. 2. Original section 13-2039, Revised Statutes
18 Cumulative Supplement, 2004, is repealed.

19 Sec. 3. Since an emergency exists, this act takes effect
20 when passed and approved according to law.